

said sum shall accompany the application, and which sum shall in no event, be refunded to the person examined.

Sec. 12. The members of said examining board shall receive the compensation of five dollars per day for each day actually engaged in the duties of their office, which together with all other legitimate expenses incurred in the performance of such duties, shall be paid from the fees received by the board under the provisions of this title; and no part of the expenses of said board shall at any time be paid out of the State Treasury. All moneys in excess of said per diem allowance and other expenses shall be held by the secretary of said board, as a special fund for meeting the expenses of said board, he giving such bond as the board may from time to time direct, and said board shall make an annual report of its proceedings to the Governor by the fifteenth day of December of each year, together with an account of all moneys received and disbursed by them in the pursuance of this title.

Sec. 13. Any person who shall violate this Act by practicing or attempting to practice dentistry or dental surgery within this State without first complying with the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum of not less than twenty-five nor more than three hundred dollars for each and every offense, each day in the practice constituting an offense. All fines collected from prosecutions under this law shall be appropriated to the common school funds in the county where collected.

Sec. 14. Any person or persons who shall violate this Act by extracting teeth, or performing any other operation pertaining to dentistry for the purpose of advertising, exhibiting, or selling any medicine, instrument or business of any kind or description, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than twenty-five nor more than three hundred dollars for each and every offense.

Sec. 15. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

HARPER, Chairman.

JUDICIARY NO. 2.

Committee Room,
Austin, Texas, March 11, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: Your Judiciary Committee No. 2. to whom was referred

Senate bill No. 231, a bill to be entitled "An Act to amend Article 335 of Chapter 3, Title IX, of the Penal Code of the State of Texas, making it a penalty to disturb the peace on railroad trains."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the following substitute bill do pass in lieu thereof.

DAVIDSON, Chairman.

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas,

Wednesday, March 15, 1905.

Senate met pursuant to adjournment, Lieutenant Governor George D. Neal presiding.

Roll Call. Quorum present, the following Senators answering to their names:

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Harper.	

Absent.

Hale.	McKamy.
Martin.	Stafford.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Faulk, the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Stone:

Spiegleville, Texas, March 10, 1905.

In convention assembled, J. L. Pack, chairman, unanimously adopted the following resolution:

Resolved, That we as farmers and citizens of McLennan county, Texas, do indorse the following house bills on taxation:

The Bowser bill, taxing insurance companies 2 1-2 per cent of their gross receipts.

The Love bill, taxing railway companies 1 per cent of their gross earnings.

The Kennedy bill, which reaches almost every corporation doing business in this State.

The Williams intangible assets bill. We do not believe there is any necessity of raising the ad valorem tax, which increases the burden of taxation upon the masses, while corporations escape their just portion of taxation.

Further Resolved, That a copy of this resolution be sent to our State Senator, F. P. Stone, Austin, Texas, and that we as his constituents beg of him that he use his influence and vote in behalf of the passage of said bills in the Senate of the State of Texas. Fraternally,

J. L. PACK, Chairman.
J. W. GOHLSON, Secretary.
E. M. TUCKER,
T. N. OLIVER,

Committee.

By Senator Smith:

To the Hon. Emery Smith, Austin, Texas.

We, your petitioners, residents of Bridgeport and vicinity in Wise county, Texas, would respectfully ask you to work and use your influence for the various House bills now pending before the State Senate known as the Bowser bill, the Love bill and the Kennedy bill, instead of the bill to raise the ad valorem taxes to meet the present deficiency in our State treasury. And as in duty bound we shall ever pray, etc.

Numerously signed.

By Senator Harper:

Thornton, Texas, March 12, 1905.

Hon. A. J. Harper, Austin, Texas.

Dear Senator: At a meeting of farmers and citizens at Pleasant Grove school house, the 10th inst., by a unanimous vote of all present I was requested to write you and sign the following names to this petition and ask you to use your influence in support of the following bills that have passed the lower House. Bills viz.: The Bowser bill, taxing insurance companies 2 1-2 per cent of their gross receipts, the Love bill, taxing the railroad companies 1 per cent of their gross earnings, the Williams intangible assets bill, the Kennedy bill, which reaches almost every corporation doing business in the State.

And to vote against increasing the ad valorem taxes.

Numerously signed.

By Senator Harper:

Franklin, Texas, March 11, 1905.

To the Hon. A. J. Harper.

We, the undersigned citizens of Robertson county, would most earnestly request that you vote for and support the tax measures now before the Senate, as follows: The Bowser bill, taxing insurance companies; the Love bill, taxing the railroads, and the Kennedy

bill, which reaches almost every corporation doing business in the State.

Numerously signed.

By Senator Faulk:

Chatfield, Texas, March 11, 1905.

To the Hon. J. J. Faulk, State Senator, Austin, Texas.

Dear Sir: We, the citizens of this community, respectfully submit that in our opinion the Bowser bill, the Love bill and the Kennedy bill, as passed and pending in the Texas Legislature, will solve the tax question.

We respectfully request (if you conscientiously can) to give same your hearty support.

Numerously signed.

By Senator Faulk:

Chandler, Texas, March 12, 1905.

Hon. J. J. Faulk, Austin, Texas.

Dear Sir: We, the undersigned citizens of Henderson county, respectfully petition that you use your influence in the Senate to pass the Bowser, Love and Kennedy tax bills, that the burden of taxation to raise the deficiency of \$1,290,000 will not all be saddled on the farmers and common people.

Numerously signed.

By Senator Looney:

Quinlan, Texas, R. F. D. No. 5.,

March 11, 1905.

To Hon. B. F. Looney, Austin, Texas.

We, the undersigned, beg leave to ask you, as member of the State Legislature of Texas, to use your influence in opposing laws governing the taxation of all incorporations and other things rather than raising the taxes on farmers.

Numerously signed.

By Senator Decker:

Joy, Texas, March 11, 1905.

To the Hon. D. E. Decker, State Senator, Austin, Texas.

Dear Sir: We, the undersigned citizens and voters of Joy, Clay county, Texas, do hereby petition and request you to support the bills now pending in the Senate known as the Bowser bill, the Love bill, the Kennedy bill. We protest against any increase in the ad valorem rate of taxation.

Numerously signed.

(See appendix for committee reports.)

CONTINGENT EXPENSE COMMITTEE REPORT.

Senator Paulus here offered the following report from the Contingent Expense Committee:

Committee Room.

Austin, Texas, March 14, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Contingent Expenses, to whom was referred the attached resolution,

Whereas, During the last sixty days of the present session of the Legislature about nine-tenths of the Senate Committee work for this session of the Legislature has been disposed of, and the remaining work to be done by the Senate committees can be performed by the six stenographic clerks, in addition to their other duties, and thereby enable the Senate to dispense with the seven general committee clerks for the remainder of the session and save the unnecessary expenditure of \$35.00 per day, and the total sum of \$980.00 per month;

And, Whereas, The services of the Assistant Calendar Clerk and Assistant doorkeeper can also be dispensed with without detriment to the public service, and thus save \$10.00 per day, a total sum of \$280.00 per month;

And, Whereas, There are now, eight porters and seven pages employed to serve the Senate, at \$2 per day, and that the services of four porters and two pages can be dispensed with without detriment to the public service and thus save the further sum of \$336.00 per month, and that the general session of the Legislature will likely extend at least one month longer and a total sum of \$1596.00 can thus be saved;

Therefore, be it Resolved, That the seven General Committee Clerks, the Assistant Calendar Clerk (and assistant doorkeeper), four porters and two pages are hereby discharged; that the President of the Senate is hereby authorized and directed to designate the committee clerks, stenographers, porters and pages whose services are hereby dispensed with, and he is requested to assign the six stenographers to the several committees.

LOONEY.
SMITH.
HARPER.

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the following substitute be passed in lieu thereof:

Whereas, During the last sixty days of the present session of the Legislature about nine-tenths of the Senate Committee work for the present session has been disposed of, thereby lessening to a great extent the amount of work to be done, therefore, be it

Resolved, That four General Committee Clerks, the Assistant Calendar Clerk, two stenographers, or those who were elected as such, four porters and two pages be dispensed with. The Bookkeeper of the Sergeant-at-Arms

room to be one of the clerks retained.

The President of the Senate is hereby authorized and directed to designate the clerks, stenographers, porters and pages whose services are hereby dispensed with, and he is requested to assign the ones retained to their respective duties.

PAULUS, Chairman.

Senator Hanger then offered the following minority report:

(Minority Report.)

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: A minority of your Committee on Contingent Expenses, to whom was referred a resolution relating to the discharge of committee clerks, etc., have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HANGER.

Senator Looney moved the adoption of the majority report, and

Senator Hanger moved as a substitute that the minority report be adopted, which motion was adopted by the following vote, killing the resolution:

Yeas—19.

Barrett.	Hicks.
Beaty.	Holland.
Brachfield.	McKamy.
Chambers.	Meachum.
Davidson.	Paulus.
Decker.	Skinner.
Faulk.	Stokes.
Faust.	Terrell.
Griggs.	Willacy.
Hanger.	

Nays—8.

Glasscock.	Hawkins.
Grinnan.	Looney.
Harbison.	Smith.
Harper.	Stone.

Absent.

Hale.	Martin.
Hill.	Stafford.

Senator Hanger moved to reconsider the vote by which the minority report was adopted, and lay that motion on the table.

The motion to table prevailed by the following vote:

Yeas—19.

Barrett.	Brachfield.
Beaty.	Chambers.

Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Skinner.
Faust.	Stokes.
Griggs.	Stone.
Hanger.	Terrell.
Hicks.	Willacy.
Holland.	

Nays—7.

Glasscock.	Hawkins.
Grinnan.	Looney.
Harbison.	Smith.
Harper.	

Present—Not Voting.

Paulus.

Absent.

Hale.	Martin.
Hill.	Stafford.

BILLS AND RESOLUTIONS.

(Bills.)

By Senator Harbison:

Senate bill No. 290, a bill to be entitled "An Act to amend Section 118 of an act of the Legislature of the State of Texas entitled 'An Act to incorporate the city of Denison, in Grayson county, Texas.'"

Read first time, and referred to Committee on Towns and City Corporations.

By Senator McKamy:

Senate bill No. 291, a bill to be entitled "An Act to amend Article 805 of the Revised Statutes of 1895, relating to hunting and fishing on inclosed and posted land."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Stokes:

Senate bill No. 292, a bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the city of Jacksonville, in the county of Cherokee, and State of Texas, and other land and territory adjacent thereto to incorporate as an independent school district for free school purposes only, to be known as the 'Jacksonville Independent School District,' with all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes."

Read first time, and referred to Committee on Education.

By Senator Holland (by request):

Senate bill No. 293, a bill to be entitled "An Act to amend Article 642 of Chapter 130 of the Acts of the Regular Session of the Twenty-fifth Legislature, entitled 'An Act to amend Articles 641 and 642, Chapter 2, Title XXI, of the Revised Civil Statutes of Texas,

relating to corporations,' and to add to said Article 642 a new subdivision to be known as Subdivision 64, providing for the organization of companies for constructing, operating and maintaining causeways, or causeways and bridges, with authority to borrow money and issue bonds without the amount of such issue being limited by the provisions of Article 653 of the Revised Civil Statutes of the State of Texas."

Read first time, and referred to Judiciary Committee No. 1.

REPORT FROM COMMITTEE.

To the Hon. Geo. D. Neal, Lieutenant Governor:

In pursuance with resolution of the Senate we herewith beg to submit the following as a

HISTORY OF HOUSE BILL NO 55,
BY ROBERTSON.

Received House bill No. 55 on February 6, which was considered on February 7, and postponed for general hearing, and on February 14 the bill came up for general hearing and consideration, when Mr. Robertson and Mr. Darling appeared before the committee and spoke in favor of the bill and Judge Banks against it, and by request the bill was postponed until the 21st of February, when the following spoke against the bill: Mr. Templeton of Waxahachie, Mr. Parr of Hillsboro, Mr. Ramsey of Cleburne, Mr. Greer of Yoakum, Mr. O'Brien of Gainesville, Mr. Moore of Austin. Mr. Strickland, President of the Electric Association, asked to be heard on the bill, and it was postponed until the 28th, but on that date, a quorum not being present, was postponed until March 7, when a quorum not being present the Chairman named March 9 for the consideration of the bill, and committee considered said bill and heard argument and postponed action until March 30, by motion of Decker. On March 14 the bill was again considered and referred to a subcommittee of Hicks, Hanger and Paulus, together with substitute bill by Hawkins, with instructions to report bill to the whole committee this March 15, at 3 o'clock p. m.

BEATY, Chairman,
DECKER,
GRIGGS,
HOLLAND,
PAULUS,
McKAMY,
HICKS,
HANGER,

Committee on City and Town Corporations.

Morning call concluded.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.
Twenty-ninth Legislature.

Austin, Texas, March 15, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 154, a bill to be entitled "An Act to exempt the counties of Uvalde, Zavala, Runnels, Mitchell and Taylor from the provisions and operations of Articles 5002 and 5042, both inclusive, of Chapter 6, Title CII, of the Revised Civil Statutes of 1895, as amended by the Acts of the Twenty-eighth Legislature, relating to the inspection of hides and animals," with amendments.

Also the following resolution:

Whereas, House bill No. 473 was passed by the House by a viva voce vote; and

Whereas, Said bill has been reported to the Senate; and

Whereas, It is necessary that said bill should take effect from its final passage, which requires a two-thirds majority vote of each House; and

Whereas, In order that said vote may be obtained in the House it is necessary that the bill be returned to the House; therefore, be it

Resolved, That the Senate is hereby requested to return House bill No. 473 to the House in order that proper action may be had on same.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SIMPLE RESOLUTION ADOPTED.

The Chair laid before the Senate a resolution from the House, requesting the return of House bill No. 473 for the purpose of getting a roll call on same. (See above House message for resolution in full.)

The resolution was adopted.

HOUSE BILL NO. 487—PASSAGE OF.

On motion of Senator Skinner, the pending order of business (House bill No. 67) was suspended, and the Senate took up, out of its order, House bill No. 487.

On motion of Senator Skinner, the committee report was adopted.

On motion of Senator Skinner, the Senate rule, requiring committee re-

ports to lay over one day, was suspended.

The Chair laid before the Senate, on second reading,

House bill No. 487, a bill to be entitled "An Act establishing the Eighteenth and Sixty-fifth Judicial Districts of the State of Texas; prescribing the times of holding the district courts therein, and providing for the appointment of a district judge for the Sixty-fifth Judicial District, amending the law by providing that the counties of Johnson and Bosque shall constitute the Eighteenth Judicial District, and that the county of Hill shall constitute the Sixty-fifth Judicial District," with engrossed rider.

Bill read second time and passed to a third reading.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Harper.	

Absent.

Hale.	Martin.
Hill.	Stafford.

The bill was read third time, and passed by the following vote:

Yeas—22.

Barrett.	Harbison.
Beaty.	Hawkins.
Brachfield.	Hicks.
Chambers.	Holland.
Davidson.	Looney.
Decker.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Stone.
Hanger.	Willacy.

Nays—3.

Grinnan.	Smith.
Harper.	

Present—Not Voting.

Terrell.

Absent.

Hale.	Stafford.
Hill.	Stokes.
Martin.	

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 39—PASSAGE OF.

On motion of Senator Stone the pending order of business (House bill No. 67) was suspended, and the Senate took up, out of its order, House bill No. 39.

The Chair laid before the Senate on second reading

House bill No. 39, a bill to be entitled "An Act to regulate the sale of cocaine and other drugs," etc.

Senator Stone moved to adopt the committee report, which was a committee substitute bill.

The motion was adopted.

Senator Stone offered the following amendment:

Amend by striking out all after the word "same," in line 16, page 1, up to and including the word "herewith," in line 20, page 1, and insert in lieu thereof the following:

"And to provide that nothing in this act shall prevent the sale of certain preparations containing not more than two grains of opium, one-eighth grain of morphine, two grains of chloral hydrate and one one-sixteenth grain of cocaine; and to provide penalties for the violation thereof; and repealing all laws in conflict therewith; and providing an emergency."

The amendment was adopted.

Senator Stone offered the following amendment, which was adopted:

"The fact that there is no adequate law regulating the sale of narcotics and other drugs creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the said rule is suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

Bill read second time and passed to a third reading.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third

reading and final passage by the following vote:

Yeas—26.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Grinnan.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

Absent.

Griggs.	Martin.
Hale.	Stafford.
Hill.	

(President Pro Tem. Hanger in the chair.)

The bill was read third time, and passed by the following vote:

Yeas—26.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Grinnan.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

Absent.

Griggs.	Martin.
Hale.	Stafford.
Hill.	

Senator Stone moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 138—PASSAGE OF.

On motion of Senator Paulus the pending order of business (House bill No. 67), was suspended, and the Senate took up, out of its order, Senate bill No. 138.

The Chair laid before the Senate on third reading,

Senate bill No. 138, a bill to be entitled "An Act to define the business of a railway ticket broker and to license and to regulate such business, and to provide a penalty to enforce the provisions of this Act, and to repeal all laws or parts of laws in conflict herewith."

Senator Griggs offered the following amendment:

Amend by inserting in line 26, page 2, after the word "laws," the following: "Whether special or general."

Senator Skinner made a point of order that the amendment failed to add anything to or take anything from the substance of the bill, and

Senator Hicks raised practically the same point of order, adding that official public notice should have been given before the adoption of this amendment.

The Chair sustained the point of order by Senator Skinner and overruled the point by Senator Hicks.

Senator Grinnan offered the following amendment:

Amend by adding after the word "above" where it first appears in line 14, page 2, the following: "In the county where such person resides or where such sale is made."

The amendment was adopted by the following vote:

Yeas—25.

Barrett.	Hicks.
Beaty.	Holland.
Brachfield.	Looney.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Hawkins.	

Nays—2.

Chambers.	Glasscock.
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Absent.

Hale.	Martin.
Hill.	Stafford.

The Chair here announced that, after reflection, that he would reverse his decision on the point of order on Senator Griggs' amendment, and, therefore, laid same before the Senate.

(See amendment above.)

The amendment was lost by the following vote:

30—Senate.

Yeas—11.

Beaty.	Hawkins.
Brachfield.	Looney.
Chambers.	Paulus.
Faulk.	Smith.
Glasscock.	Terrell.
Griggs.	

Nays—13.

Barrett.	Hicks.
Davidson.	Holland.
Decker.	McKamy.
Faust.	Skinner.
Grinnan.	Stokes.
Hanger.	Stone.
Harper.	

Present—Not Voting.

Hill.	Willacy.
Meachum.	Absent.
Hale.	Martin.
Harbison.	Stafford.

The bill was read third time and passed.

Senator Paulus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 143.

On motion of Senator Harper, the pending order of business (House bill No. 67) was suspended, and the Senate took up, out of its order, Senate bill No. 143.

Senator Harper yielded the floor to Senator Faulk.

SENATE BILL NO 62—REFUSED TO CONCUR IN HOUSE AMENDMENTS.

On motion of Senator Faulk, the pending order of business (Senate bill No. 143) was suspended, and the Senate took up, out of its order, Senate bill No. 62.

The Chair laid before the Senate

Senate bill No. 62, a bill to be entitled "An Act to amend Article 34, Penal Code of Texas, permitting persons under the age of nine years to be punished for the offense of perjury."

Senator Faulk moved to suspend Senate rule No. 51, providing for the reconsideration of votes.

The rule was suspended by the following vote:

Yeas—26.

Barrett.	Chambers.
Beaty.	Davidson.
Brachfield.	Decker.

Faulk.	Looney.
Faust.	McKamy.
Glasscock.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Hanger.	Smith.
Harper.	Stokes.
Hawkins.	Stone.
Hill.	Terrell.
Holland.	Willacy.

Absent.

Hale.	Martin.
Harbison.	Stafford.
Hicks.	

Senator Faulk moved to reconsider the vote by which the Senate concurred in the following House amendments:

Amend Senate bill No. 11 by striking out Section 5 and inserting the following in lieu thereof:

"Sec. 5. The provisions of this act shall apply to all convicts except those convicted of rape, robbery by the use of firearms, or any deadly weapon, and murder; provided, that any person convicted of murder in the first degree and robbery by use of firearms, or any deadly weapon, may be paroled after serving (15) fifteen years without commutation for good behavior; and any person convicted of murder in the second degree may be paroled after serving (10) ten years without commutation for good behavior."

(1) Page 2, lines 14 and 16, amend by striking out the word "as," in line 14, and insert in lieu thereof the words "and in regard;" by striking out the word "surrounding," and insert in lieu thereof the word "surroundings;" by striking out the word "this," in line 16, and insert in lieu thereof the word "thus."

(2) Page 1, Section 2, line 36, amend by adding the word "it" after the word "and," in line 36.

(3) Amend Section 1, lines 24 and 25, by striking out the following phrase, "as computed under the law governing commutation for good behavior."

(4) Amend Section 1, line 27, by adding after the word "contained," the following: "Provided, that in no case shall a convict be paroled until he shall have served two years of his term."

At the end of line No. 21, Section 1, strike out the word "is" and insert in lieu thereof the word "are." Strike out the words "his term," in line 23, Section 1, and insert in lieu thereof the words "their respective terms."

The motion was adopted, and Senator Faulk moved that the Senate do not concur in the amendments, and asked for a free conference committee on same.

The motion was adopted.

HOUSE BILL NO. 217—MADE SPECIAL ORDER.

On motion of Senator Holland, the pending order of business (Senate bill No. 143) was suspended, and the Senate took up, out of its order, House bill No. 217.

The Chair laid before the Senate on second reading

House bill No. 217, a bill to be entitled "An Act to amend the charter of the city of Galveston by amending Sections 35, 40, 70 and subdivisions (g) and (l) of Section 19, thereof, and by adding thereto Section 71a."

On motion of Senator Holland the committee report was adopted.

Senator Holland offered the following amendment, which he will offer at some future time, and asked that it be printed in the Journal.

By Holland:

Amend caption by adding thereto the words "and also Section 78a, ratifying and confirming an agreement and contract of settlement, adjustment and compromise between said city of Galveston and the Galveston Wharf Company, dated March 9, 1905."

Amend the bill by adding thereto Section 4, as follows:

Section 4. That the charter of the city of Galveston be and the same is hereby amended by adding thereto Section 78a, as follows:

Section 78a. That a certain agreement and contract of settlement, adjustment and compromise entered into by and between the city of Galveston and the Galveston Wharf Company, bearing date the 9th day of March, 1905, be and the same is hereby in all things ratified, approved and confirmed, a substantial copy of which said agreement and contract is as follows:

State of Texas, County of Galveston. Know All Men by These Presents:

That to finally settle the question of the apportionment of dividends to which the city of Galveston is and shall be entitled from the Galveston Wharf Company, and to finally compromise, settle and adjust all matters of difference and controversy, and all pending suits between said city of Galveston and said Galveston Wharf Company, the said city of Galveston, a body, corporate and politic, and the said Galveston Wharf Company, a corporation duly incorporated under and by virtue of the laws of the State of Texas, having its domicile and principal office and place of business in the city and county of Galveston, Texas, have mutually contracted and agreed to and with each other, and do hereby mutually contract and agree to and with each other, as follows:

1. Said Galveston Wharf Company shall pay to said city of Galveston,

sixty thousand dollars (\$60,000.00) as follows: Ten thousand dollars (\$10,000.00) each year for three consecutive years and the balance of said total sum of sixty thousand dollars (\$60,000.00) in five equal annual payments of six thousand dollars (\$6,000.00) each, the payment of the first ten thousand dollars (\$10,000.00) to be made on the 1st day of November, 1905, and the remaining payments to be made on the 1st day of November of each consecutive year thereafter until the whole of said sum of sixty thousand dollars (\$60,000.00) shall have been paid, the said sum or an equivalent amount to be expended by said city of Galveston for drainage purposes in said city.

2. Said Galveston Wharf Company shall, as soon as this contract and agreement takes effect, dismiss its suit against said city of Galveston to recover overpayment of taxes, pending in the District Court of Galveston county, numbered on the docket of said court 12796, involving, in round numbers, with interest, about fifty-seven thousand dollars (\$57,000.00), and said Galveston Wharf Company shall pay all court costs of said suit.

3. Said Galveston Wharf Company shall, as soon as this contract and agreement takes effect, pay to said city of Galveston the sum of two thousand dollars (\$2,000.00), and said city of Galveston shall receive said sum in full settlement of said city's claim against said Galveston Wharf Company for fire protection involved in cause No. 22321, now pending in the District Court of Galveston county, Texas, and said Galveston Wharf Company shall dismiss its petition in said cause, and said city of Galveston shall dismiss its cross action or plea in reconvention in said cause, and said city of Galveston shall have the right to make a charge against said Galveston Wharf Company, from and after the dismissal of said cause, for fire protection, according to rates to be fixed by the board of commissioners of the city of Galveston, or other government of said city, said rate, however, not to exceed forty cents per annum per thousand square feet of area occupied by said Galveston Wharf Company's sheds protected, said charge for fire protection, however, to be made against said Galveston Wharf Company only so long as said city of Galveston makes and enforces charges for fire protection against other persons or corporations for similar protection.

4. Said Galveston Wharf Company shall admit and recognize that by virtue of the hereinafter mentioned decree, said city of Galveston owns an undivided one-third (1-3) interest in all the property of said Galveston

Wharf Company situated between Thirty-first street and Forty-first street, north of Avenue A, in said city of Galveston, including what would be the prolongations of Thirty-first street and Forty-first street, and all of intervening streets, if the same were opened, in the same manner as the said city's one-third (1-3) interest is now recognized and established in the property of said Galveston Wharf Company situated in said city of Galveston between Ninth and Thirty-first streets north of Avenue A by the decree entered in the District Court of Brazoria county, Texas, on the 1st day of April, 1869, in a suit by said city of Galveston against said Galveston Wharf Company, which said decree was duly ratified and confirmed by an act of the Legislature of the State of Texas approved June 23, 1870, and said city's one-third (1-3) interest in all of the said property of said Galveston Wharf Company between Ninth street and Forty-first street north of Avenue A, in said city of Galveston, shall be represented by said city's sixty-two hundred and twenty-two (6222) shares of stock owned by said city in said Galveston Wharf Company.

5. Said city of Galveston shall have the right to open and construct drains and sewers, and combination drains and sewers, to the channel of Galveston Bay through and across any of said wharf company's property at such places between said Ninth and Forty-first streets as may be necessary, and the right of way and permission for that purpose is hereby granted by said Galveston Wharf Company to said city of Galveston, and said Galveston Wharf Company hereby releases any claim for compensation or damages against said city for the taking, use, construction and continuous maintenance of such drains, sewers and combination drains and sewers, and all such drains, sewers and combination drains and sewers so opened and constructed shall extend to the channel of Galveston Bay, provided, however, that if said city desires to construct any such drain (not a sewer nor combination drain and sewer) so as to empty in to slip instead of the channel of the bay, said city shall first obtain written consent from said Galveston Wharf Company so to do, and if such consent is refused by said Galveston Wharf Company nothing in this contract shall be construed to prevent said city from exercising any right of eminent domain it may have or acquire; and said city shall open and construct, at its own expense, all such drains, sewers and combination drains and sewers, through or across said Galveston Wharf Company's property, and the location of all such

drains, sewers and combination drains and sewers shall be agreed upon between the city engineer of said city and the superintendent of said wharf company, and in case they can not agree upon such location they shall select a third person, and the majority of the three shall select a location, but this agreement shall not be construed to impair said city's right of eminent domain. Said Galveston Wharf Company shall not be held liable for and is hereby released from liability for any damage or injury that may be done to said drains or sewers or combination drains and sewers by the construction by said Galveston Wharf Company of improvements upon its property or the operation or use of its said property for its ordinary business; provided, that if said wharf company shall construct any building, shed or permanent structure upon its said property any damage to any such drains or sewers or combination drains and sewers caused by said construction shall be promptly repaired by said wharf company at its own expense, or said drains or sewers or combination drains and sewers shall be, the expense of said wharf company, promptly adjusted or arranged so as not to impair the efficiency thereof; and provided that said city shall, at its own expense, promptly, and to the satisfaction of said wharf company, restore any and all property of said wharf company in any manner disarranged, disturbed or injured by or as the result of the construction by said city of any such drains or sewers or combination drains and sewers through or across said wharf company's property, to the same or as good condition as said property was in before such disarrangement, disturbance or injury.

6. Said Galveston Wharf Company shall be and hereby is released from any obligation to open any drains at its own expense and cost through or across any of its said property between said Ninth and Forty-first streets in said city of Galveston, and said wharf company shall have and is hereby granted the right and privilege, subject to the supervision of the city engineer of said city, to connect without charge any drains of its own with the drains or sewers or combination drains and sewers that may be constructed and maintained by said city through or across said wharf company's property; and said one-third (1-3) of said wharf company's entire property owned by said city of Galveston as aforesaid, shall be exempt from taxation, and said city shall be entitled to and shall receive dividends from said Galveston Wharf company in the

same manner in which such dividends have heretofore been paid; that is, said city shall be entitled to and shall receive upon each of its sixty-two hundred and twenty-two (6222) shares of stock the same amount of dividends as shall be paid by said Galveston Wharf Company on any other share of capital stock of said wharf company, all fixed charges and legitimate expenses of operating, maintaining, repairing and improving the entire property in the same manner as heretofore, including all taxes, interest and sinking funds that may be due or become due by said wharf company, to be first deducted before the payment of any dividends, all previous assessments and payments of taxes, interest, sinking funds and dividends being hereby admitted by said city to be correct; and said Galveston Wharf Company shall hold the title, subject to said city's one-third (1-3) interest therein, to said entire property included in the territory north of Avenue A and between said Ninth and Forty-first streets in the city of Galveston, including what would be the prolongations of all streets if opened through said property, and the control and management of the whole of said wharf company's property, including said city's one-third (1-3) interest therein, to remain in said wharf company in the same manner as fixed by the before mentioned decree of the district court of Brazoria county, Texas, and said decree and all the terms and provisions thereof shall remain in full force and undisturbed except in so far as the same may be changed by this contract and agreement.

7. This contract and agreement shall take effect and become binding upon the respective parties hereto when the same shall have been confirmed and ratified by an Act of the Legislature of the State of Texas, and when such Act shall have taken effect, and not before.

In testimony whereof, said city of Galveston has caused these presents to be executed for it and on its behalf by the mayor-president, and attested by the secretary of the board of commissioners of said city of Galveston, and the corporate seal of the city hereto affixed in accordance with and by virtue of a resolution of the board of commissioners of said city of Galveston, adopted at the meeting of said board of commissioners held in the city of Galveston, Texas, on the 9th day of March, A. D. 1905, a certified copy of which is hereto attached and marked for identification "Exhibit A." and made a part hereof, and said Galveston Wharf Company has caused these

presents to be executed for it and on its behalf by its president and attested by its secretary, and the corporate seal of said Galveston Wharf Company hereto affixed, in accordance with and by virtue of a resolution of the board of directors of said Galveston Wharf Company adopted at the meeting of said board of directors of said Galveston Wharf Company adopted at the meeting of said board of directors held at the office of said Galveston Wharf Company, in the city of Galveston, Texas, on the 9th day of March, A. D. 1905, a certified copy of which resolution is hereto attached and marked for identification "Exhibit B." and made a part hereof.

Executed in duplicate at Galveston, Texas, on the 9th day of March, A. D. 1905.

CITY OF GALVESTON,
(Corporate Seal of City of Galveston.)
By WM. T. AUSTIN,
Mayor-President of the Board of Commissioners of the City of Galveston.
Attest: JNO. D. KELLEY,
Secretary of the Board of Commissioners of the City of Galveston.

GALVESTON WHARF CO.,
(Corporate Seal of Galveston Wharf Company.)

By JOHN SEALY,
President of said Galveston Wharf Company.
Attest: JNO. E. BAILEY,
Secretary of Said Galveston Wharf Company.

EXHIBIT "A."

Be it resolved by the board of commissioners of the city of Galveston, That said city do make and enter into the proposed contract with the Galveston Wharf Company for the final settlement of the question of the apportionment of dividends to which said city of Galveston is and shall be entitled from said Galveston Wharf Company, and for the final compromise, settlement and adjustment of all matters of difference between said city of Galveston and the Galveston Wharf Company, which said proposed contract, bearing date the 9th day of March, 1905, is hereto attached, and that the mayor-president of said board of commissioners of the city of Galveston be, and he is hereby empowered, authorized and directed to execute and sign said contract on behalf of the city of Galveston, and the secretary of said board of commissioners of the city of Galveston be, and he is hereby authorized, empowered and directed to attest said contract, and affix thereto the corporate seal of said city of Galveston.

State of Texas, City and County of Galveston.

We, Wm. T. Austin, mayor-president of the board of commissioners of the city of Galveston, and Jno. D. Kelley, secretary of said board of commissioners, do hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the board of commissioners of the city of Galveston at the meeting of said board held at the city hall in the city of Galveston, Texas, on the 9th day of March, 1905, as said resolution appears of record in the minutes of said meeting of said board of commissioners of the city of Galveston.

Witness our official signatures and the corporate seal of said city of Galveston hereto affixed at said city of Galveston, this 9th day of March, 1905.

WM. T. AUSTIN,
Mayor-President of the Board of Commissioners of the City of Galveston.
(Corporate Seal of City of Galveston.)
JNO. D. KELLEY,
Secretary of the Board of Commissioners of the City of Galveston.

EXHIBIT "B."

Be it resolved by the board of directors of the Galveston Wharf Company, That said Galveston Wharf Company do make and enter into the proposed contract with the city of Galveston for the final settlement of the question of the apportionment of dividends to which said city of Galveston is and shall be entitled from said Galveston Wharf Company, and for the final compromise, settlement and adjustment of all matters of difference and controversy, and all pending suits between said city of Galveston and said Galveston Wharf Company, which said proposed contract, bearing date of the 9th day of March, 1905, is hereto attached, and that the president of said Galveston Wharf Company be, and he is hereby empowered, authorized and directed to execute and sign said contract on behalf of said Galveston Wharf Company, and the secretary of said Galveston Wharf Company be, and he is hereby authorized, empowered and directed to attest said contract and affix thereto the corporate seal of said Galveston Wharf Company.

State of Texas, City and County of Galveston.

We, Jno. Sealy, president of the Galveston Wharf Company, and Jno. E. Bailey, secretary of said Galveston Wharf Company, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the board

of directors of said Galveston Wharf Company at the meeting of said board of directors held at the office of said Galveston Wharf Company in the city of Galveston, Texas, on the 9th day of March, 1905, as said resolution appears of record in the minutes of said meeting of said board of directors.

Witness our official signatures and corporate seal of said Galveston Wharf Company hereto affixed at said city of Galveston, Texas, this 9th day of March, 1905.

JNO. SEALY,

President of the Galveston Wharf Company.

(Corporate Seal of Galveston Wharf Company)

JNO. E. BAILEY,

Secretary of the Galveston Wharf Company.

On motion of Senator Holland, further consideration of the bill was postponed till next Friday morning, and was made special order for that time.

SENATE BILL NO. 143—PASSAGE OF.

The Chair laid before the Senate, on second reading, as pending business,

Senate bill No. 143, a bill to be entitled "An Act to amend Articles 4308, 4309, 4310, 4311, 4312, 4314, 4315, 4316, Title XC, Revised Civil Statutes of the State of Texas, relating to public weighers for justice precincts, where so desired by the public weighers, and regulating the bonds of all public weighers, and prohibiting others from weighing cotton where the office of public weigher has been created, and providing for an election to abolish the public weigher's office in counties where it is not wanted, and repeal all laws and parts of laws in conflict with this Act."

Bill read second time and ordered engrossed. On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Barrett.	Hanger.
Beaty.	Harbison.
Brachfield.	Harper.
Chambers.	Hawkins.
Davidson.	Hicks.
Decker.	Hill.
Faulk.	Holland.
Faust.	Looney.
Glasscock.	McKamy.
Griggs.	Meachum.
Grinnan.	Paulus.

Smith.
Stokes.
Stone.

Terrell.
Willacy.

Absent.

Hale.
Martin.

Skinner.
Stafford.

The bill was read third time and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 244.

On motion of Senator Smith the pending order of business (House bill No. 67), was suspended, and the Senate took up, out of its order, Senate bill No. 244.

The Chair laid before the Senate, on second reading,

Senate bill No. 244, a bill to be entitled "An Act to provide for the disposition of the corporate property and for the levy, assessment and collection of taxes to pay existing indebtedness of incorporated cities and towns which have heretofore or may hereafter abolish their corporate existence, and to repeal all laws in conflict herewith."

Senator Brachfield offered the following amendment:

Amend by adding the following to Section 1:

Provided that in all cities and towns that have been defunct for a period of ten years shall not be included in the provisions of this Act.

Pending.

On motion of Senator Smith further consideration of the bill was postponed till tomorrow morning.

SENATE BILL NO. 187—MADE SPECIAL ORDER.

On motion of Senator Barrett the pending order of business (House bill No. 67), was suspended, and the Senate took up, out of its order, Senate bill No. 187.

The Chair laid before the Senate, on second reading,

Senate bill No. 187, a bill to be entitled "An Act to provide for working short term convicts on the public roads and other public works of the counties of the State."

Senator Barrett moved that the bill be made a special order for next Friday morning.

The motion was adopted.

HOUSE BILL NO. 444—PASSAGE OF.

On motion of Senator Harbison the pending order of business (House bill No. 67), was suspended, and the Senate took up, out of its order, House bill No. 444.

The committee report was adopted on motion of Senator Harbison.

The Senate rule requiring committee reports to lay over for one day was suspended by the following vote:

Yeas—27.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Decker.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.

Absent.

Hale.	Stafford.
Martin.	Stokes.

The Chair laid before the Senate, on second reading,

House bill No. 444, a bill to be entitled "An Act to amend Section 91 of an act entitled 'An Act to incorporate the City of Sherman in Grayson county, Texas, and to fix the boundaries therefor and to provide for its government and the management of its affairs,' passed by the Twenty-fourth Legislature, as amended by an act of the Twenty-seventh Legislature, entitled 'An Act to amend Sections 91, 93 and 176 of an act entitled 'An Act to incorporate the City of Sherman, in Grayson county, Texas, and to fix the boundaries thereof and to provide for its government and management of its affairs,' passed by the Twenty-fourth Legislature, and to repeal all laws or parts of laws in conflict therewith, and declaring an emergency,' so as to confer upon said city the power to pay off the judgment of W. C. Conner et al. against it."

Bill read second time and passed to a third reading.

On motion of Senator Harbison the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Barrett.	Beaty.
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Brachfield.	Hill.
Chambers.	Harbison.
Davidson.	Looney.
Decker.	Holland.
Faulk.	Hanger.
Faust.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Absent.

Hale.	Stafford.
Martin.	Stokes.
Meachum.	

The bill was read third time and passed by the following vote:

Yeas—27.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Hill.
Chambers.	Holland.
Davidson.	Looney.
Decker.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Harper.	

Absent.

Hale.	Stafford.
Martin.	Stokes.

Senator Harbison moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 445—PASSAGE OF.

On motion of Senator Harbison, the pending order of business, House bill No. 67, was suspended, and the Senate took up, out of its order, House bill No. 445.

The committee report was adopted.

On motion of Senator Harbison the Senate rule requiring committee reports to lay over for one day, was suspended by the following vote:

Yeas—28.

Barrett.	Chambers.
Beaty.	Decker.
Brachfield.	Davidson.

Faulk.	Holland.
Faust.	Looney.
Glasscock.	McKamy.
Griggs.	Meachum.
Grinnan.	Paulus.
Hanger.	Skinner.
Harbison.	Smith.
Harper.	Stokes.
Hawkins.	Stone.
Hicks.	Terrell.
Hill.	Willacy.

Absent.

Hale.	Stafford.
Martin.	

The Chair laid before the Senate on second reading,

House bill No. 445, a bill to be entitled "An Act to amend Section 92 of an act entitled 'An Act to incorporate the city of Sherman in Grayson county, Texas, and to fix the boundaries thereof and to provide for its government, and management of its affairs,' passed by the Twenty-fourth Legislature, as amended, and to repeal all laws or parts of laws in conflict therewith, and to declare an emergency," so as to give said city power and means to pay off the judgment of W. C. Conner et al. against it.

Bill read second time and passed to a third reading.

On motion of Senator Harbison, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Harper.	

Absent.

Hale.	Martin.
Hawkins.	Stafford.

The bill was read third time, and passed by the following vote:

Yeas—28.

Barrett.	Brachfield.
Beaty.	Chambers.

Decker.	Hill.
Davidson.	Holland.
Faulk.	Looney.
Faust.	McKamy.
Glasscock.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Hanger.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Harper.	

Absent.

Hale.	Stafford.
Martin.	

Senator Harbison moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 47—PENDING.

On motion of Senator Stokes, the pending order of business, House bill No. 67, was suspended, and the Senate took up, out of its order, House bill No. 47.

The Chair laid before the Senate on second reading,

House bill No. 47, a bill to be entitled "An Act to amend Article 338, Title IX, Chapter 4, of the Penal Code of the State of Texas, as amended by the Acts of the Twenty-fifth Legislature, page 24, relating to carrying arms," amending the law so as to include any knife, the blade of which exceeds four inches in length, and increasing the punishment by making it a fine of not less than one hundred dollars nor more than two hundred dollars, and by confinement in the county jail not less than thirty days nor more than twelve months.

There being a favorable majority committee report and an unfavorable minority report,

Senator Harper moved that the minority report be adopted.

(Lieutenant Governor Neal in the chair.)

INVITATION.

Austin, Texas, March 15, 1905.

Hon. George D. Neal, Lieutenant Governor of Texas, and Honorable Senate of the State of Texas.

Gentlemen: In behalf of the Cattle Raisers' Association of Texas we desire to extend to you in person the invitation of the Cattle Raisers' Associa-

tion of Texas to attend its annual convention to be held at Fort Worth on the 21st, 22d and 23d days of March, which we believe will be of great interest to your honorable body.

The Cattle Raisers' Association of Texas stands as the representative of one of the greatest industries of this State, both with respect to the economical question surrounding that industry and the laws that affect it. A number of addresses will be delivered and other proceedings will be had which we believe will be of interest to you, and it certainly will be a matter of congratulation to the association if your body will attend on such day as you may select. Very respectfully,
THE CATTLE RAISERS' ASSOCIATION OF TEXAS.

By JNO. B. LYTLE, Secretary.

On motion of Senator Hanger, the invitation was accepted.

BILLS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign in the presence of the Senate after their captions had been read.

House bill No. 503, a bill to be entitled "An Act to grant a new charter to the city of Houston, Harris county, Texas, repealing all laws in conflict herewith, and declaring an emergency."

House bill No. 461, "An Act to provide that all volumes constituting a portion of the record of any county organized prior to January 1, 1882, wherein are recorded deeds, mortgages or trust deeds or other muniments of title to real estate situated in such county, which volumes and records are now and since the 1st of January, 1882, have been constantly among the archives of such county as records thereof, shall be and are declared to be in all respects lawful and valid records of such counties respectively, for all purposes whatsoever relating to titles to real estate, and to provide that certified copies of instruments recorded in said volumes made in accordance with law shall have the force and effect that certified copies of original records have in organized counties, and that same may be used for all lawful purposes for certified copies of original records in ordinary cases in organized counties."

House bill No. 62, "An Act to prescribe a period of limitation within which any person claiming the right to purchase or lease public free school, State, University or asylum lands heretofore sold or leased to others, shall bring his suit therefor."

House Concurrent Resolution No. 11, requesting the pardon of Mac Stewart, now confined in prison in the State of Chihuahua, in the Republic of Mexico.

ADJOURNMENT.

On motion of Senator Stone, the Senate, at 1 o'clock p. m., adjourned till tomorrow morning at 10 o'clock.

APPENDIX.

COMMITTEE REPORTS.

JUDICIARY NO. 1.

Committee Room,

Austin, Texas, Feb. 4, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 156, a bill to be entitled "An Act to amend Subdivision 22, of Section 1, Chapter 18, of the Acts of the Twenty-fifth Legislature, the same being 'An Act to amend Article 5049, Chapter 1, Title CIV, of the Revised Statutes, relating to general occupation taxes,' and relating particularly to regularly recognized opera houses and theaters,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room.

Austin, Texas, March 14, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 283, a bill to be entitled "An Act to amend Article 1442, Title XXX, Chapter 20, of the Revised Civil Statutes of Texas, pertaining to giving security for costs,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room.

Austin, Texas, March 14, 1905.

Hon. Geo. D. Neal, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 40, a bill to be entitled "An Act providing for the return of inventory, list of claims and list of indebtedness in the administration of community estates, amending Article 2224, Chapter 28, Title XXX, of the Revised Statutes of the State of Texas,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Majority Report.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No 54, a bill to be entitled "An Act to protect the lives and property of the traveling public, and the employes of the railroads in the State of Texas,"
Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HICKS, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: Your Judiciary Committee No. 1, to whom was referred
House bill No 54, a bill to be entitled "An Act to protect the lives and property of the traveling public, and the employes of the railroads in the State of Texas,"
Have had the same under consideration, we, the minority, report it back to the Senate with the recommendation that it do pass.

GRINNAN,
BRACHFIELD.

JUDICIARY NO. 2.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: Your Judiciary Committee No. 2, to whom was referred
House bill No. 251, a bill to be entitled "An Act to amend Chapter 153 of the General Laws of the State of Texas, passed at the regular session of the Twenty-fifth Legislature, and amended at the regular session of the Twenty-sixth Legislature, and at the regular session of the Twenty-seventh Legislature, and at the first called session of the Twenty-seventh Legislature, and at the regular session of the Twenty-eighth Legislature, 'An Act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by means of an ordinary hook and line and trotline, and to prohibit the sale or shipment of game fish in this State, and to provide penalties for the violation thereof,' by fixing a penalty for the use of poison,

dynamite or other explosives in killing, catching and taking fish."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 265, a bill to be entitled "An Act to amend Article 103, of the Penal Code of the State of Texas,"
Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

Majority Report.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: Your Judiciary Committee No. 2, to whom was referred
Senate bill No. 175, a bill to be entitled "An Act to prevent any person or persons, firm, corporation or association of persons, who loan money on farm produce, from charging a higher rate of interest than 10 per cent, either directly or indirectly, or by discount or otherwise, and affixing a penalty therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Minority Report.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: We, a minority of your Judiciary Committee No. 2, to whom was referred
Senate bill No. 175, a bill to be entitled "An Act to prevent any person or persons, firm, corporations or association of persons, who loan money on farm produce, from charging a higher rate of interest than 10 per cent, either directly or indirectly, or by discount or otherwise, and affixing a penalty therefor,"

Have had the same under consideration, and beg leave to dissent from the report of the majority, and in lieu of said report recommend that the same do not pass.

DAVIDSON, Chairman.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 286, a bill to be entitled "An Act to amend Chapter 3, Title IX, of the Code of Criminal Procedure of the State of Texas, by adding thereto Article 846a, as follows:

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

CITY AND TOWN CORPORATIONS.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on City and Town Corporations, to whom was referred

House bill No. 444, a bill to be entitled "An Act to amend Section 91 of an act entitled 'An Act to incorporate the City of Sherman, in Grayson county Texas, and to fix the boundaries thereof, and to provide for its government, and the management of its affairs,' passed by the Twenty-fourth Legislature, as amended by an act of the Twenty-seventh Legislature, entitled 'An Act to amend Sections 91, 93 and 176 of an act entitled 'An Act to incorporate the City of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government, and the management of its affairs,' passed by the Twenty-fourth Legislature, and to repeal all laws or parts of laws in conflict therewith, and declaring an emergency,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be not printed.

BEATY, Chairman.

Committee Room,
Austin, Texas, 1905.
Hon. Geo. D. Neal, President of the Senate:

Sir: Your Committee on City and Town Corporations, to whom was referred

Senate bill No. 220, a bill to be entitled "An Act to authorize and empower the City Councils of all cities and towns incorporated under the General Laws of this State to establish saloon limits and to prohibit and suppress saloons, grogshops, tippling

houses and places where spirituous, vinous or malt liquors, or medicated bitters, capable of producing intoxication are sold at retail outside of such saloon limits, and to declare an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 15, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on City and Town Corporations, to whom was referred

House bill No. 445, a bill to be entitled "An Act to amend Section 92 of an act entitled 'An Act to incorporate the city of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs, passed by the Twenty-fourth Legislature, as amended; and to appeal all laws or parts of laws in conflict therewith and declaring an emergency,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 15, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on City and Town Corporations, to whom was referred

Senate bill No. 281, a bill to be entitled "An Act ratifying and confirming an ordinance passed by the board of commissioners of the city of Galveston on the 13th day of March, 1905, entitled 'An ordinance abandoning, closing and discontinuing certain streets, avenues, and alleys in the city of Galveston, and authorizing and empowering M. A. Low and his heirs and assigns to construct and perpetually maintain piers, docks, wharves, warehouses, depots, platforms, tracks, elevators, and to dredge or fill between and on the sides of such piers, docks, wharves, warehouses, depots, platforms, tracks and elevators on the shores of Galveston Bay within the corporate limits of the city of Galveston upon certain specified conditions and conditionally relinquishing any claims the State of Texas may have to part of the land therein described,'"

Have had the same under considera-

tion, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BEATY, Chairman.

JUDICIAL DISTRICTS.

Committee Room,
Austin, Texas, March 15, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 487, a bill to be entitled "An Act to reorganize the Eighteenth Judicial District, and to create the Sixty-fifth Judicial District of the State of Texas, prescribing the times of holding the district court therein; and providing for the appointment of a district judge for the Sixty-fifth Judicial District,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be not printed.

BEATY, Acting Chairman.

ENGROSSING DEPARTMENT.

Committee Room,
Austin, Texas, March 14, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 118, being "An Act to amend Article 643 of the Revised Statutes of the State of Texas prescribing what must be set forth in the charter of a domestic corporation,"

And find the same correctly engrossed.

LOONEY, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1905.
Hon. Geo. D. Neal, President of the Senate:

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 138, being "An Act to define the business of a railway ticket broker and to license and to regulate such business and to provide a penalty to enforce the provisions of this act and to repeal all laws or parts of laws in conflict herewith,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,
Austin, Texas, March 11, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 98, being "An Act to permit the issuance of life certificates to public school teachers,"

And find the same correctly engrossed.

LOONEY, Acting Chairman.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Thursday, March 16, 1905.

Senate met pursuant to adjournment, Lieutenant Governor George D. Neal presiding.

Roll called. Quorum present, the following Senators answering to their names:

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	Martin.
Decker.	McKamy.
Faulk.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.
Hawkins.	

Absent.

Hale. Stafford.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Stone the same was dispensed with.

(See Appendix for committee reports.)

PETITIONS AND MEMORIALS.

By Senator Meachum:

Keith, Texas, March 12, 1905.

Hon. McDonald Meachum, Austin, Texas.

Dear Sir: We notice that House bills relative to taxing values are now before the Senate; therefore some of my friends join me in the request to you to favor such a bill (or bills) as are not in favor of raising the ad valorem rate, as such property as is owned by farmers has always paid a full share of taxes. It seems to us only a matter of justice that other classes of values should be required to bear their share of the burden.

Numerously signed.